

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. 224/93

Wednesday the tenth day of November, 1993

MR. N. DHARMADAN MEMBER (JUDICIAL)

MR. S. KASIPANDIAN MEMBER (ADMINISTRATIVE)

A. Abdul Rahiman
LSG, SA RMS 'TV' Division
Sub Record Office, Kollam

Applicant

By M.K. Damodaran

vs.

1. The Director of Postal Services (HQ)
Office of the CPMG, Kerala Circle
Trivandrum-33

2. The Sr. Supdt., RMS 'TV'
Division, Trivandrum-3

3. The Sub Record Officer, RMS TV Dn
Kollam.

4. Sri K. Babu, LSG Sorting Assistant
SRO Kollam

Respondents

By Mr. George C.P. Tharakan, SCGSC for R 1-3 (not present)

Mr. O.V. Radhakrishnan for R-4

ORDER

MR. N. DHARMADAN

Having heard counsel on both sides, we are satisfied that this application can be disposed of with appropriate direction.

2. According to the applicant, he was originally appointed as Sorting Assistant. The post of Checker is carrying similar pay of Sorting Assistant. The appointment to that post is being given for a tenure period of four years. Applicant was appointed as Checker w.e.f. 11.12.81. He joined duty on 23.12.81. But due to administrative reasons, he was relieved w.e.f. 15.6.84 before completing the normal tenure period. When further vacancy arose, the applicant was not considered because of disciplinary proceedings pending against him. After completion of the disciplinary proceedings, applicant again submitted Annexure-II representation for getting posting

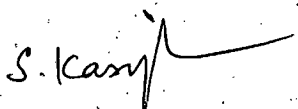
as Checker. That was considered and disposed of as per Annexure A-3 stating that the applicant can only be posted as Checker for completing the whole tenure period i.e. up to 5.2.93. The said posting order was given to the applicant and she has completed the full tenure period.


3. The applicant submitted before us that many of his juniors and seniors were given the benefit of working as Checker for more than one tenure and such a benefit can be made available to the applicant also. This is a matter which requires consideration by the first respondent and we are of the view that if the applicant files a representation for a posting as Checker before the first respondent, he shall consider the same in accordance with law.

4. Accordingly, on the basis of the submissions made by the learned counsel at the bar, we are of the view that the application can be disposed of with appropriate direction. We direct the applicant to submit a detailed representation to the first respondent for getting a posting as Checker for another term. The representation shall be filed within two weeks from the date of receipt of a copy of the judgment. If such a representation is filed, the second respondent shall consider the same and pass appropriate orders within three months from the date of receipt of the representation.

5. The application is disposed of as above.

6. There shall be no orders as to costs.


(S. KASIPANDIAN)
MEMBER (ADMINISTRATIVE)


(N. DHARMADAN)
MEMBER (JUDICIAL)

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